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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|-----------------------|-----------------------------|------------------|
| 09/846,830 | 05/01/2001 | Paul Andrew Moskowitz | YOR920000311 (1963-5013) | 4970 |
| 48150 | 7590 | 08/26/2005 | EXAMINER | |
| MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817 | | | HOOSAIN, ALLAN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2645 | |

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/846,830 | MOSKOWITZ ET AL. | |
| | Examiner | Art Unit | |
| | Allan Hoosain | 2645 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 12 and 32-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 12 and 32-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

FINAL DETAILED ACTION

Response to the 37 C.F.R. 1. 131 Declaration

1. The Declaration has been reviewed with the following results:

(1) The Declaration is not proper and not considered because it is unsigned. All applicants must sign the declaration (see MPEP 715.04).

(2) In a telephone Interview between Examiner and Applicants' Representative, **John J. Dresch, Esq.**, on 8/2/05, the following was discussed:

(a) Examiner suggested that the information in the Declaration did not show a reduction to Practice.

(b) The information shows conception of the disclosed invention. Applicants have to show diligence. Applicants' Representative will try to find information to show diligence.

(c) Examiner upon receiving a formal response will not issue another office action before contacting Applicants' Representative.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 37-41,46-48,50-51,53-54,55-60,65 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by **Riskin** (US 4,817,129).

As to Claims 37-38,46-48,53-54,55-60,65, with respect to Figure 1, **Riskin** teaches a system for connecting a user to a telephone number, comprising:

- a memory including program code stored therein (Figure 14, label 42); and

- a processor connected to said memory for carrying out instructions in accordance with stored program code (Figure 1, label 16);

- wherein said program code, when executed by said processor, causes said processor to:

 - receive from a caller an ambiguous phone address (Figure 14, label 40);

 - select a collision (an ambiguity resolving parameter) from a plurality of collisions (ambiguity resolving parameters) (Col. 16, lines 37-56);

 - collect confirmations (additional information) specified by said selected ambiguity resolving parameter (Col. 16, lines 44-53); and

 - determine, using said additional information, whether said phone address resolves to a telephone number (Col. 16, lines 61-62 and Figure 14, label 50).

As to Claims 39-41,50-51, **Riskin** teaches the method of Claim 37, wherein said plurality of ambiguity resolving parameters comprises a location of said caller (Col. 5, lines 37-50).

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4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-5,12,32-35,37-41,44,46-48,50-67 are rejected under 35 U.S.C. 102(e) as being anticipated by **Stern et al.** (US 2004/0132433).

As to Claims 1,61-64,66-67, with respect to Figures 1-5, **Stern** teaches a method for connecting a user to a telephone number, comprising:

receiving a phone address entered by a caller (P0052);

determining an entry modality device, from a plurality of entry modality devices, used by said caller to enter the received phone address (P0052);

decoding said received phone address according to the determined entry modality (P0055-P0057);

consulting a reference table using the decoded phone address, said reference table being periodically updated by a centralized master reference table (P0061-P0062, P0071); and

connecting the caller to the telephone number that results from said consulting the reference table (P0057-P0058);

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As to Claim 2, **Stern** teaches the method of claim 1, wherein the decoded phone address comprises an ambiguous phone address (P0077).

As to Claims 4-5 **Stern** teaches the method of claim 1 wherein said reference table comprises a lookup table (P0056).

As to Claim 3, **Stern** teaches the method of claim 2 wherein said step of consulting the reference table further includes:

consulting said table using additional information specified by an ambiguity resolving parameter, and

wherein said connecting the caller is only performed when a telephone number results from said step of consulting (P0077)

As to Claims 32-35 **Stern** teaches the method of Claim 1, wherein said plurality of entry modalities comprises a voice entry modality (P0052).

As to Claims 12,37-38,44,46-48,53-54,55-60,65, with respect to Figures 1-5, **Stern** teaches a system for connecting a user to a telephone number, comprising:

a memory including program code stored therein (Figure 4, label 16); and

a processor connected to said memory for carrying out instructions in accordance with stored program code (Figure 4, label 24);

wherein said program code, when executed by said processor, causes said processor to:

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receive from a caller an ambiguous phone address (P0077);
select an ambiguity resolving parameter from a plurality of ambiguity resolving parameters (P0077);
collect additional information specified by said selected ambiguity resolving parameter (P0077); and
determine, using said additional information, whether said phone address resolves to a telephone number (P0078).

As to Claims 39-41,50-52, **Stern** teaches the method of Claim 37, wherein said plurality of ambiguity resolving parameters comprises a location of said caller (P0195).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was

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made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Stern** in view of **Yamakita** (US 6,366,698).

As to Claim 36, **Stern** teaches the method of Claim 1, wherein said plurality of entry modalities comprises:

Stern does not teach the following limitation:

“a handwriting entry modality”

Yamakita teaches handwritten entries for recognizing destinations to be dialed (Figure 6A and Col. 2, lines 31-50). Since **Stern** and **Yamakita** are in analogous identification of destination telephone number art, it would have been obvious to one of ordinary skill in the art to add handwritten capability to **Stern**'s invention for identifying destination numbers as taught by **Yamakita**'s invention in order to provide users with choices for identifying their destinations.

9. Claims 42-43,45,49 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Stern** in view of **Hou et al.** (US 5,325,421).

As to Claims 42-43,45,49 **Stern** teaches the method of Claim 1, wherein said plurality of entry modalities comprises:

Stern does not teach the following limitation:

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“a voice print of said caller”

Hou teaches voice commands for recognizing destinations to be dialed (Col. 9, lines 9-21). Since **Stern** and **Hou** are in analogous identification of destination telephone number art, it would have been obvious to one of ordinary skill in the art to add voice print capability to **Stern**'s invention for identifying callers and destination numbers as taught by **Hou**'s invention in order to provide users with choices for identifying their destinations.

Response to Arguments

10. Applicant's arguments with respect to claims 1-5,12,32-67 have been considered but are not persuasive (see Section 1 above).

Examiner respectfully invites Applicants to contact Examiner to discuss possible amendments for overcoming the prior art of record.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Davis et al. (US 6,731,737) teach resolving directory requests using caller specific directories.

Denenberg et al. (US 6,728,348) teach narrowing directory listings using DTMF and voice signatures.

McAllister et al. (US 6,421,672) teach disambiguating search results to find destination numbers.

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12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

13. Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications; please mark "EXPEDITED
PROCEDURE")

Or:

(703) 306-0377 (for customer service assistance)

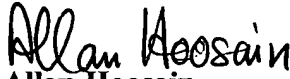
Hand-delivered responses should be brought to Carlyle, Alexandria,
VA 22313 (Receptionist).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (571) 272-7543. The examiner can normally be reached on Monday to Friday from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (571) 272-7547.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.


Allan Hoosain
Primary Examiner
8/9/05